

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-4, 6, 8-19, 21, 23-37 are pending in the application, with claims 1, 16, and 34-37 being the independent claims. Claims 5, 7, 20 and 22 have been rewritten as new claims 34, 35, 36 and 37 respectively. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 103***

Claims 1, 2, 16 and 17 are rejected under 35 U.S.C. 103(a) as being allegedly obvious over US Patent No. 6,950,399, (Bushmitch). Applicants respectfully traverse this rejection.

The examiner acknowledges that the division of the packetization frame period into two or more phases based on the determined delay jitter bound has not been disclosed by Bushmitch. In that sense, the inventors' approach to dividing the frame into two or more phases is a novel approach to guaranteeing a delay jitter bound. There is no suggestion in Bushmitch to divide the packetization frame period into two or more phases. Nor would one of ordinary skill have been motivated to modify Bushmitch absent the teaching available only from Applicants' novel disclosure. Bushmitch does not meet the requirements for prima facie obviousness. Accordingly, Applicant requests

that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 9-13 and 24-28** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 5,963,557 (Eng). Applicants respectfully traverse this rejection.

Claims 9-13 and 24-28 depend directly or indirectly from claims 1 and 16, respectively. Eng contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Eng, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 9-13 and 24-28 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 3 and 18** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 3 and 18 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 9-13 and 24-28 and therefore do not meet the requirements

for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 4 and 19** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 4 and 19 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 4 and 19 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 6 and 21** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 6 and 21 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 6 and 21 and therefore do not meet the requirements for

prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 8 and 33** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 8 and 33 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 8 and 33 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 14 and 23** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 14 and 23 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 14 and 23 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the

rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claims 15, 31 and 32** are rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 15, 31 and 32 depend directly or indirectly from claims 1 and 16, respectively. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claims 15, 31 and 32 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that these claims be passed to allowance.

**Claim 30** is rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No. 6,621,812 (Chapman). Applicants respectfully traverse this rejection.

Claims 30 depends directly from claim 16. Chapman contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Chapman, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claim 30 and therefore do not meet the requirements for prima facie obviousness. Accordingly,

Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that this claim be passed to allowance.

**Claim 29** is rejected under 35 U.S.C. 103(a) as being allegedly obvious over Bushmitch in view of US Patent No.6,665,708 (Tikekar). Applicants respectfully traverse this rejection.

Claims 29 depends directly from claim 16. Tikekar contains no teaching or suggestion to overcome the deficiencies of Bushmitch relative to the herein claimed invention, as discussed above. Bushmitch and Tikekar, whether considered alone or in any rational combination, do not teach or suggest each and every feature of claim 30 and therefore do not meet the requirements for prima facie obviousness. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103(a) be removed and that this claim be passed to allowance.

***Allowable Subject Matter***

The examiner has indicated that claims 5, 7, 20 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

Accordingly, claims 5, 7, 20 and 22 have been rewritten as new claims 34, 35, 36 and 37 respectively. It is believed that claims 34 - 37 are now in condition for allowance.

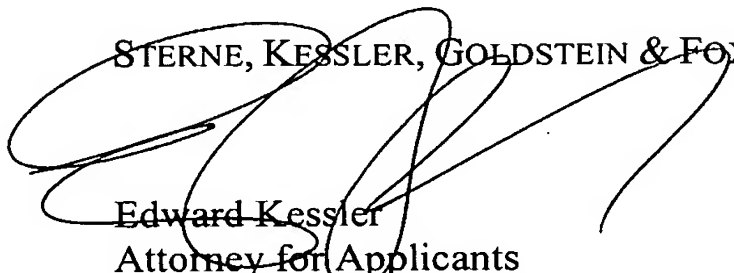
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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